

Message Text

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PAGE 01 STOCKH 04929 181625Z

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C O N F I D E N T I A L STOCKHOLM 4929

FROM YOUNG FOR HELMAN AND LEONARD

E.O. 11652: GDS

TAGS: PARM, UN, SW

SUBJECT: LAW OF WAR CONFERENCES: SWEDISH PROPOSAL

1. DOCUMENT BELOW WAS DISCUSSED ON THREE OCCASIONS WITH AUTHOR MFA UNDER SECRETARY OF STATE HANS BLIX. HE REPORTS THAT THE UK IS CONSIDERING GOING ALONG AND THAT THERE IS SOME INDICATION THAT THE USSR MAY GIVE ON ITS CONSENSUS INITIATIVE.

2. "THE QUESTION OF PROHIBITION OR RESTRICTION OF SPECIFIC CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR INDISCRIMINATE.

"AIM:

ADOPTION AT A UN WORLD CONFERENCE IN 1979 OF BANS OR RESTRICTIONS OF USE ON A NUMBER OF CONVENTIONAL WEAPONS.

"NAPALM AND OTHER INCENDIARY WEAPONS

THIS IS THE MOST THOROUGHLY DISCUSSED CATEGORY. THE UN SECRETARY-GENERAL MADE A REPORT ON IT IN 1973.

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PAGE 02 STOCKH 04929 181625Z

SWEDEN, MEXICO, ETC, PROPOSE COMPLETE BAN ON USE OF NAPALM AND NAPALM SUBSTITUTES. THEY INSIST THAT THESE ARE PARTICULARLY CRUEL AND--AT THE SAME TIME--NOT INDISPENSABLE MILITARILY. NETHERLANDS AND NATO SUGGEST USE RESTRICTIONS, WHICH ARE ALMOST COSMETIC. A BAN WOULD HAVE GREAT SIGNIFICANCE, BOTH HUMANITARIAN AND POLITICAL.

"LAND-MINES AND BOOBY-TRAPS

NEAR-AGREEMENT EXISTS ON PROTOCOLS ON THESE ITEMS.
DUTY TO DRAW UP CHARTS OF MINE-FIELDS, SO THAT THEY
CAN BE CLEARED AFTER HOSTILITIES. DUTY TO INCLUDE
NEUTRALIZING DEVICE IN MINES DELIVERED BY AIR OR ROCKETS.
DUTY NOT TO BOOBY-TRAP TOYS, RELIGIOUS OBJECTS, ETC.

"FRAGMENTS NOT VISIBLE BY X-RAY

NEAR-AGREEMENT EXISTS ON PROTOCOL PROHIBITING THE USE
OF WEAPONS WHICH RELY FOR THEIR EFFECT ON FRAGMENTS
NOT VISIBLE BY X-RAY. DOUBTFUL WHETHER ANY SUCH WEAPON
EXIST AT PRESENT.

"SMALL CALIBRE, HIGH VELOCITY PROJECTILES (M16 AND OTHERS)

ALL BULLETS TUMBLE, BUT SOME OF THE NEW 5.56 MM HIGH
VELOCITY BULLETS TUMBLE VERY QUICKLY UPON IMPACT AND THEREBY
TEAR THEIR WAY SIDEWAYS AND OFTEN DISINTEGRATE IN THE
PROCESS. THE DUM-DUM BULLET WAS BANNED IN 1899 (AGAINST
THE VOTES OF THE US AND THE UK AT THE HAGUE), BECAUSE
IT WAS SOFTNOSED, MUSHROOMED ON IMPACT AND MADE
PARTICULARLY SEVERE INJURIES. ALL MILITARY POWERS--
EAST-WEST--ARE NOW NEAR DECISIONS ON THE BULLET
GENERATION TO SUCCEED THE 7.76 MM. UNLESS THEY AGREE,
EXPLICITLY BY A PROTOCOL OR TACITLY, THAT THEY WILL
AVOID ADOPTING BULLETS WHICH TUMBLE FAST ON IMPACT A
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PAGE 03 STOCKH 04929 181625Z

VERY SIGNIFICANT ESCALATION MAY OCCUR IN THE INJURING
EFFECTS OF THE WORLD'S MOST COMMON WEAPON: THE
AUTOMATIC RIFLE. AN AGREEMENT WOULD CALL FOR A
MODIFICATION OF THE M16 BULLET, WHICH TENDS TO BREAK
UP ON IMPACT.

"FUEL AIR EXPLOSIVES, AREA COVERING BOMBS, ETC.

A VARIETY OF OTHER WEAPONS HAVE BEEN DISCUSSED. THERE
MAY EXIST POSSIBILITIES OF RESTRICTIONS, BUT THESE ITEMS
ARE FAR LESS DISCUSSED.

"WHAT HAS BEEN DONE?

DISCUSSIONS SINCE 1971 AT THE GENEVA CONFERENCES ON
HUMANITARIAN LAW (THE LAWS OF WAR), SPONSORED BY THE
RED CROSS AND, SUBSEQUENTLY, THE SWISS GOVERNMENTS.
TWO EXPERT CONFERENCES UNDER RED CROSS AUSPICES. MOST
OF THE EFFORTS MADE HAVE BEEN PRECEDED BY THE SWEDISH-US
(BLIX-ALDRICH) CONTACTS. MANY PROPOSALS AND REPORTS EXIST.
THE DIPLOMATIC CONFERENCE ON INTERNATIONAL HUMANITARIAN LAW
FINISHED IN JUNE 1977 BY ADOPTING TWO IMPORTANT PROTOCOLS,
BUT ON THE WEAPONS ISSUE NO AGREEMENT WAS REACHED. ONLY A
CONSENSUS RESOLUTION THAT A WORLD CONFERENCE SHOULD

BE CALLED IN 1979 AT THE LATEST.

"WHAT IS THE PROBLEM NOW?

TO SET UP A PREPARATORY COMMITTEE (CONFERENCE) FOR THE
1979 CONFERENCE AND TO INTEREST THE POLITICAL LEADERSHIPS
THAT THE WORK IS SO SIGNIFICANT THAT THEY MUST OVERCOME
SOME MILITARY GRUMBLING.

ACUTELY AT THE UN, THE PROBLEMS ARE ABOUT THE COMPOSITION
OF A PREPARATORY BODY (PRESENCE OF PLO) AND THE RULES OF
PROCEDURE. MILITARY POWERS DEMAND THAT ALL
DECISIONS MUST BE BY CONSENSUS, SO THAT THEY CAN EASILY
BLOCK ANYTHING THEY DO NOT WISH TO APPEAR AS A COMMITTEE
(CONFERENCE) PRODUCT. THEY ARE NOT CONTENT WITH THE
AWARENESS THAT EXISTS THAT ANY DRAFTS WHICH MAJOR
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PAGE 04 STOCKH 04929 181625Z

MILITARY POWERS WILL NOT SIGN AND RATIFY ARE POINTLESS.
THE NON-ALIGNED GROUP WILL NOT ACCEPT A CONSENSUS RULE.

"WHAT CAN BE DONE?

THE US IS IN THE KEY POSITION. ITS ATTITUDE INFLUENCES
NATO. ONCE NATO GOES ALONG, THE WARSAW PACT AND FRANCE
TEND TO COME ALONG, TOO."

3. COMMENT: I SEE THIS AS AN OPPORTUNITY TO REINFORCE
PRESIDENT CARTER'S COMMITMENT TO THE HUMAN RIGHTS INITIATIVE.
ADDITIONALLY, IT MAY RELAX EUROPEAN PARANOIA ABOUT US DESIGNS
IN THE NEUTRON BOMB CONTROVERSY.
KENNEDY-MINOTT

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